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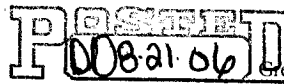
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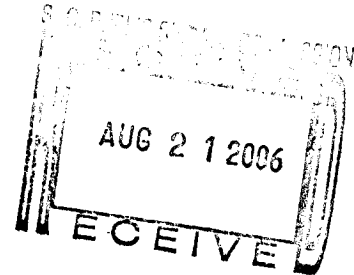
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Charles L.A. Terreni
Chief Clerk/Administrator
Public Service Commission
Post Office Drawer 11649
Columbia, SC 29210

Re: Docket No. 2006-107-W/S
Application of United Utility Companies, Inc. for
Approval of an Adjustment of Rates and Charges for the Provision
of Water and Sewer Service

Dear Mr. Terreni:

Enclosed on behalf of North Greenville University are the original and one copy of the Response to Applicant's Motion for Order Prohibiting Introduction or Admission of Surrebuttal Testimony of Dr. James Epting and our Motion for Leave to Serve Surrebuttal Testimony Late, along with the original and one copy of our Certificate of Mailing, which documents I have this day filed electronically.

By a copy of this letter, I am sending all known parties copies of these documents, along with copies of our Certificates of Mailing

With kind regards, I am

Yours very truly,

Duke K. McCall, Jr.

Leatherwood Walker Todd & Mann, P.C.

DKM,Jr./bw

Enclosures

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THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2006-107-W/S

IN RE:)
)
Application of United Utility Companies,)
Inc. for adjustment of rates and charges)
and modifications to certain terms)
and conditions for the provision of)
water and sewer service.)
_____)

**MOTION FOR LEAVE TO SERVE
SURREBUTTAL TESTIMONY LATE**

Intervenor, North Greenville University (the "University"), hereby moves for an Order permitting it to serve the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet one day late.

By letter dated May 11, 2006, the Commission's Docketing Department declared that all surrebuttal testimony must be prefiled with the Commission and served on all parties of record by August 14, 2006. This letter further specified that "service" on all parties of record must be actual delivery on such date, as opposed to the testimony being postmarked on this date. On August 14, 2006, North Greenville University filed with the Commission the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet and further put such testimony in the mail to be served on all parties of record. Counsel for the University did not realize that this testimony must be actually served on August 14 and believed in good faith that a post-marked date of August 14, 2006 satisfied the Commission's deadline. As a result of counsel's mistake, the surrebuttal testimony did not reach the hands of the Applicant until August 15, 2006.

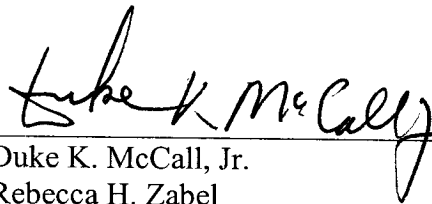
The University believes that it would be unfair to prohibit the introduction of this testimony into the record simply because of the honest mistake of its counsel and therefore respectfully requests that the Commission accept its surrebuttal testimony and introduce the same into the record, despite the fact that Applicant did not actually receive a copy of the testimony

until one day after the due date. In support of this request, the University submits that the Applicant could not have suffered any serious prejudice as a result of receiving this testimony one day late, nor has the Applicant claimed to have suffered any prejudice. The University further submits that its failure to timely file was in no way intentional or willful. A party should not be denied the right to testify unless there has been a showing of “wilful [sic] disobedience or gross indifference to the rights of the adverse party.” Orlando v. Boyd, 320 S.C. 509, 466 S.E.2d 353 (1996). The University had every intention of following the Commission’s directives and attempted in good faith to do so; its counsel simply mistakenly believed that putting the testimony in the mail on the deadline was effective service.

Finally, as a customer of Applicant, the University believes that it is in the public interest that its surrebuttal testimony be admitted and introduced into evidence as it directly relates to the matters at issue in the instant application for rate increase. In light of the public interest in fair and reasonable utility rates, and considering that the Applicant could not have suffered any prejudice from a one day delay, the University submits that it should not be denied the right to submit its surrebuttal testimony.

Accordingly, for the reasons set forth above, North Greenville University respectfully requests an Order allowing it to serve the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet one day late.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duke K. McCall, Jr.", written over a horizontal line.

Duke K. McCall, Jr.

Rebecca H. Zabel

Attorneys for Intervenor, North Greenville University

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**THIS DOCUMENT IS AN EXACT DUPLICATE, WITH THE EXCEPTION OF THE
FORM OF THE SIGNATURE, OF THE E-FILED COPY SUBMITTED TO THE
COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING
INSTRUCTIONS.**

THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2006-107-W/S

IN RE:

Application of United Utility Companies,
Inc. for adjustment of rates and charges
and modifications to certain terms
and conditions for the provision of
water and sewer service.

CERTIFICATE OF MAILING

IT IS HEREBY CERTIFIED that a copy of North Greenville University's **Motion for Leave to Serve Surrebuttal Testimony Late** was served upon all interested parties by placing a copy of the same in the United States Mail, postage prepaid, on the 17th day of **August, 2006**, addressed as follows:

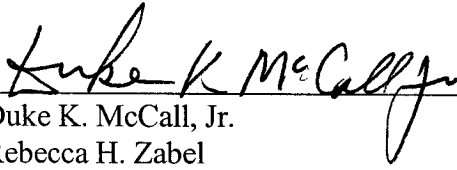
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